

Report to Community and Protective Services Committee

To: Chair and Members
Community and Protective Services Committee

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Property Standards Related Demolitions

Date: May 21, 2024

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the attached by-law (Appendix 'A') **BE INTRODUCED** at the Council meeting on **June 4, 2024**, it being noted that the effect of the by-law will be to permit the City of London to take all necessary actions to bring the buildings into compliance including the potential demolition of the buildings and structures at the following addresses: **1317 Hastings Drive, 695 Victoria Street, and 219 Adelaide Street North.**

Summary

The request for demolition approval is intended as a near-to-last effort to motivate property owners to address ongoing property standards, neighbourhood nuisance, safety, and quality of life issues. While demolition may be the ultimate outcome, Staff continue to attempt to have the individual owners take stewardship over their buildings throughout the process. All associated inspection, maintenance, and potential demolition costs are invoiced to the property owner from the time the building is identified as a vacant building until the ultimate demolition of the property. The properties reported herein have been neglected for several years and the request for demolition approval represents the near final step in the progressive-compliance process.

Link to the Corporate Strategic Plan

Strengthening the wellbeing and safety of neighbourhoods and residents across the City through proactive enforcement of the City's Property Standards By-law and by proactively addressing emerging issues such as residential vacancy.

Background Information

City Council directs that when a Property Standards Order is not complied with, the Director of Municipal Compliance may have the property demolished once the matter has been reported to Council, and Council has passed a by-law approving of the potential demolition.

It should be noted that a Council endorsement, and subsequent by-law, does not dissolve an owner's responsibilities under the Vacant Buildings By-law, nor pause the steps taken by Staff to compel owners to take care of their properties through the available enforcement and compliance tools. The requested by-law gives Civic Administration additional leverage to bring the property into compliance and the ability to begin the process of preparing a property for demolition, if that is the ultimate outcome.

Property Information

1317 Hastings Drive (Ward 5)

Property Standards Order PV 22-010251 - registered on title.

Complaints at 1317 Hastings Drive initially focused on tall grass and weeds. The property was identified as having a vacant building in June of 2021. A Property Standards Order was issued in September of 2022 regarding the roof, fascia, soffit, eavestroughs, gutters and downspouts, which had been “under construction” for several months. The Order was registered on title with no appeal from, nor communication with, the owners despite several attempts and registered letters. This is a 1-3/4 storey single detached dwelling with a two-car garage.

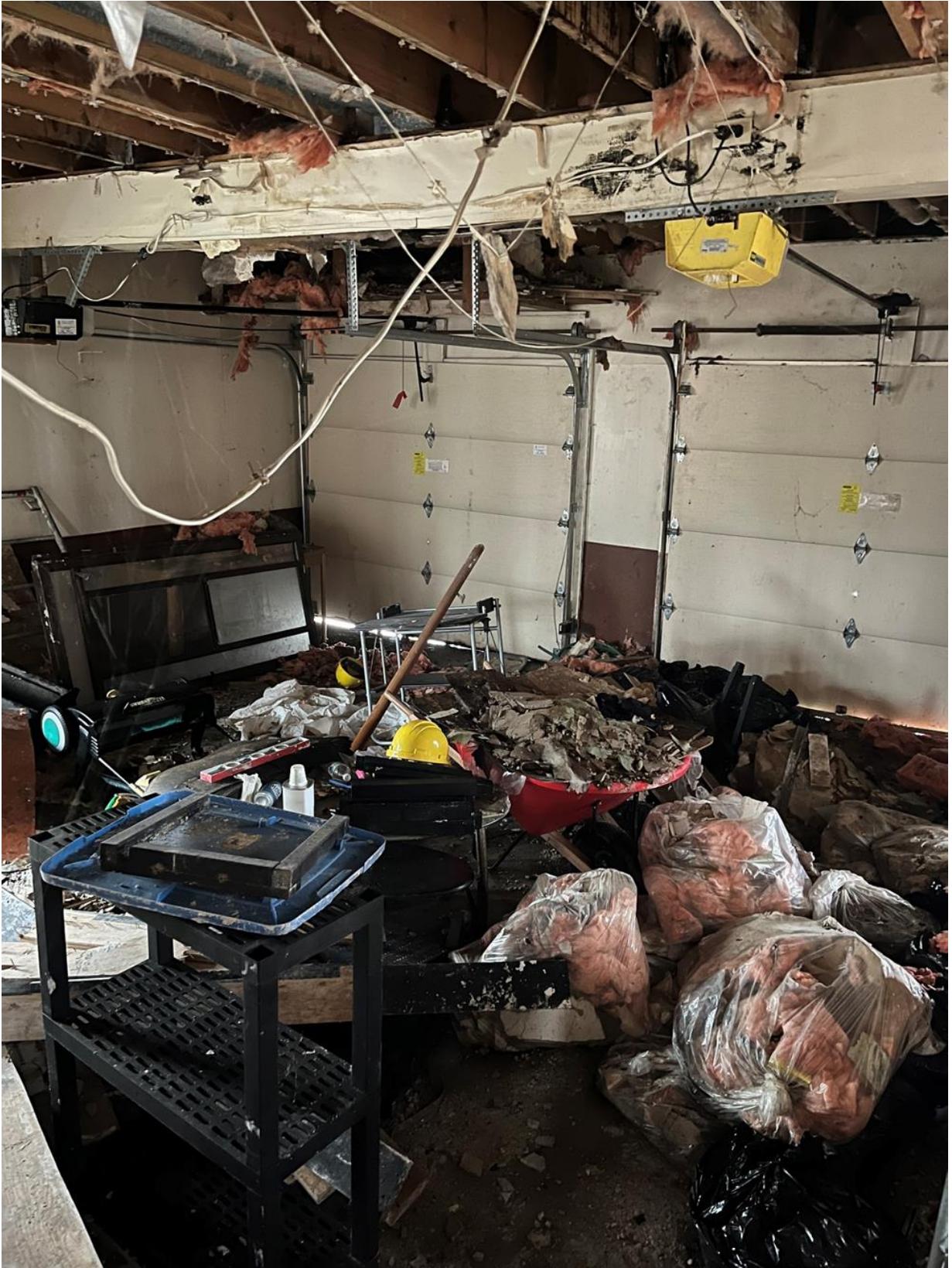
In 2023, Staff had considered this house as a potential candidate for repair, rather than demolition. However as contractors hired by the City to do repairs further examined the interior, it became apparent that the house was in such a state of disrepair, that demolition would be more appropriate.



1317 Hastings – Façade & Roof



1317 Hastings Drive – Interior Condition (April, 2024)



1317 Hastings Drive – Garage Interior Condition (April, 2024)

695 Victoria Street (Ward 4)

Property Standards Order PV 23-014559 - registered on title

695 Victoria Street is a 1-1/2 storey single detached dwelling on the south side of Victoria between Taylor and Elliott Streets. Tall grass and weed complaints began in 2018 and a Property Standards Order was issued in 2019. The building was identified as vacant in August of 2021. Another Property Standards Order was issued in 2023 regarding the exterior stucco siding on the building which was never addressed by the owner. Once the appeal period expired, the Order was registered on title.



695 Victoria St – West side and façade



695 Victoria Street – East side of property

Staff obtained renovation quotes and shared the estimate with the owner. Closer scrutiny of the building has made it evident that the unfinished siding has led to further damage and that the rear of the building is completely falling apart. It has been determined by Staff that due to the owner's inaction and current state of the building, it is more appropriate to demolish than repair the building.

219 Adelaide Street North (Ward 13)

Property Standards Order PV 23-025449 - registered on title.

219 Adelaide Street North is a small vacant residential building with boarded up windows that is missing all of its exterior cladding. The one-storey detached dwelling is on the west side of Adelaide, north of Hamilton Road. The residential portion of the property sits on the eastern portion of a large T-shaped lot that also has a large commercial building at the rear. The commercial portion is used as an automobile repair garage and is not vacant.

A Property Standards Order for the residential building was registered on title in October of 2023. The Order cited the roof, soffit, fascia, windows, doors and exterior cladding as being deficient and in need of repair. No action from the owner to repair the building has been taken.



219 Adelaide St N – Front and north side exterior



219 Adelaide St. N – Front and south side.

Conclusion

Staff have undertaken several inspections, issued penalties and invoices, sent work orders and Property Standards Orders at each of these locations to try to get the buildings secured, maintained, and repaired. Notwithstanding these progressive compliance efforts, no actions have been taken by the landowner(s) to comply with the Property Standards Orders.

Based on the evidence herein, Civic Administration is recommending the vacant abandoned buildings be considered for demolition due to ongoing matters of public safety and neighbourhood quality concerns.

Prepared by: Orest Katolyk, MPL, MLEO(C),
Director, Municipal Compliance

Recommended by: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic
Development

Appendix "A"

Bill No.
2024

By-law No.

A By-law to approve the potential demolition of vacant buildings at 219 Adelaide Street North, 695 Victoria Street, and 1317 Hastings Drive under the Property Standards provisions of the Building Code Act.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 15.1(3) of the *Building Code Act* provides that the council of a municipality may pass a by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS Council has passed Property Standards By-law CP-16 that requires owners of property that does not conform to the standards of the by-law to repair and maintain the property to conform with the standards of the by-law or to clear it of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.2(2) of the *Building Code Act* provides that an officer who finds that a property does not conform with the standards prescribed in the Property Standards By-law may make an order giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.4 of the *Building Code Act* provides that, if an order of an officer under section 15.2(2) is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge, the municipality may cause the property to be repaired or demolished accordingly;

AND WHEREAS section 15.4(3) of the *Building Code Act* provides that a municipal corporation or a person acting on its behalf is not liable to compensate the owner, occupant, or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its powers under subsection (1);

AND WHEREAS section 15.4(4) of the *Building Code Act* provides that the municipality shall have a lien on the land for the amount spent on the repair or demolition under subsection (1) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*;

AND WHEREAS Council passed By-law A.-6554-211 to adopt a Policy whereby, in the event a confirmed Property Standards Order is not complied with, the City's Manager of By-law Enforcement shall not cause the property to be demolished unless he or she has reported to Council setting out the reasons for the proposed demolition and Council has passed a by-law approving of the proposed demolition;

AND WHEREAS a Property Standards Order has not been complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge;

AND WHEREAS the City's Chief Municipal Law Enforcement Officer has reported to Council setting out the reasons for the proposed demolition;

AND WHEREAS Municipal Council may wish to cause the property to be demolished;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The potential demolition of the abandoned buildings in the City of London (listed below) is approved and the properties may be cleared of all identified buildings, structures, debris, and refuse and left in a graded and levelled condition in accordance with the *City of London Property Standards By-law* and the *Ontario Building Code Act* if required. The municipal addresses of the properties are:
 - 219 Adelaide Street North
 - 695 Victoria Street
 - 1317 Hastings Drive
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2024

Josh Morgan,
Mayor

Michael Schulthess
City Clerk

First reading - _____, 2024
Second reading - _____, 2024
Third Reading - _____, 2024